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6 Attorneys for Howard M. Ehrenberg, Chapter 7
7 Trustee

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **LOS ANGELES DIVISION**

11 In re:

12 SPECTRUM LINK, INC.,

13 Debtor.

Case No. 2:21-bk-16403-VZ

Chapter 7

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NOTICE OF TRUSTEE'S MOTION
TO APPROVE SETTLEMENT
BETWEEN CHAPTER 7 TRUSTEE
AND AMERICAN EXPRESS, FOR
\$295,000 AND AUTHORIZING
PAYMENT OF CONTINGENCY FEE
TO GREENSPOON MARDER LLP

18 [No Hearing Required Unless Requested]
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1 **TO THE HONORABLE VINCENT P. ZURZOLO, UNITED STATES**
2 **BANKRUPTCY JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, ALL**
3 **CREDITORS, AND PARTIES ENTITLED TO NOTICE:**

4 **PLEASE TAKE NOTICE THAT** Howard M. Ehrenberg, the duly appointed,
5 authorized, and acting Chapter 7 trustee ("Trustee") of the bankruptcy estate ("Estate") of
6 Spectrum Link, Inc. ("Debtor") has filed a "Trustee's Motion To Approve Settlement
7 Between Chapter 7 Trustee And American Express, For \$295,000 And Authorizing
8 Payment Of Contingency Fee To Greenspoon Marder LLP" (the "Motion").

9 **PLEASE TAKE FURTHER NOTICE THAT** the Motion seeks an order
10 approving a settlement ("Settlement") which the Trustee has entered into with American
11 Express National Bank ("American Express"), which received transfers from the Debtor in
12 the four-year period prior to August 11, 2021.

13 **PLEASE TAKE FURTHER NOTICE THAT** the Settlement has been reached as
14 a result of the Trustee conducting an investigation, sending a demand letter,
15 communicating with American Express through counsel, engaging in discovery, and
16 drafting the settlement agreement. The Settlement contemplates that in exchange for a
17 settlement payment, American Express and the Estate will release all claims against each
18 other (except that American Express will retain a general unsecured claim in the amount of
19 \$18,573), and no further litigation will occur. Even if the Trustee discovers that additional
20 transfers made to American Express, the Trustee is waiving the right to pursue litigation
21 relating to additional transfers. The Settlement must be approved by the Court to be
22 effective.

23 **PLEASE TAKE FURTHER NOTICE THAT** the Motion requests authority for
24 the Trustee to pay his counsel, Greenspoon Marder LLP ("Greenspoon"), its 33.3%
25 contingency fee relating to the Settlement payment—specifically, \$98,235.00--on an
26 interim basis, from the proceeds received from American Express. The Motion does not
27 seek reimbursement of expenses at this time. This contingency fee payment to
28 Greenspoon will be subject to further review of the Court, the Office of the U.S. Trustee,

1 creditors, and parties in interest, in connection with a final fee application that Greenspoon
2 will file at the conclusion of this case in which Greenspoon will request final approval of
3 any contingency fees paid to it and expenses incurred. No party in interest will waive any
4 right to oppose final payment to Greenspoon of any contingency fee, by not objecting at
5 this time to Greenspoon's payment on an interim basis.

6 **PLEASE TAKE FURTHER NOTICE THAT** the Motion is brought in
7 accordance with Federal Rule of Bankruptcy Procedure 9019, and is made on the grounds
8 that the Settlement is supported by a good business justification and is in the best interest
9 of the Estate. The Motion is based on the Motion, the Settlement which is attached to the
10 Motion as Exhibit 1, the Memorandum of Points and Authorities attached to the Motion,
11 the supporting declarations of Howard M. Ehrenberg and Steven F. Werth which are
12 attached to the Motion, and the record in this case.

13 **PLEASE TAKE FURTHER NOTICE THAT** if you would like a copy of the
14 Motion and supporting documentation, counsel for the Trustee Steven F. Werth will
15 provide one to you. Mr. Werth can be reached at *steven.werth@gmlaw.com* and his office
16 number is (213) 617-5210.

17 **PLEASE TAKE FURTHER NOTICE THAT** the Trustee is requesting that the
18 Court grant the Motion without a hearing, as provided for in Local Bankruptcy Rule 9013-
19 1(o). Any formal response in opposition to the Motion, and request for a hearing, must (1)
20 be in the form required by Local Bankruptcy Rule 9013-1(f)(1), (2) be filed with the Clerk
21 of the Court, and (3) be served upon the Trustee's counsel (Steven F. Werth,
22 *steven.werth@gmlaw.com*), and upon the United States Trustee within 17 days of the date
23 this Notice was served. If any such response is timely received, the Trustee will set a
24 hearing date and send out notice of that hearing. No hearing will be held if no response
25 and request for hearing is received. Pursuant to Local Bankruptcy Rule 9013-1(h), the
26 failure to timely file and serve an opposition to the Motion may be deemed as your consent
27 to the granting of the Motion. If you do not oppose the Motion, you need not take any
28 further action.

1 DATED: November 7, 2023

Greenspoon Marder LLP

2 By: 

3 Steven F. Werth
4 Attorneys for Howard M. Ehrenberg
5 Chapter 7 Trustee

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1875 Century East, Suite 1900, Los Angeles, California 90067.

A true and correct copy of the foregoing document entitled (specify): **NOTICE OF TRUSTEE'S MOTION TO APPROVE SETTLEMENT BETWEEN CHAPTER 7 TRUSTEE AND AMERICAN EXPRESS, FOR \$295,000 AND AUTHORIZING PAYMENT OF CONTINGENCY FEE TO GREENSPOON MARDER LLP** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) November J, 2023 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (date) November 9, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor

Spectrum Link, Inc.
8221 3rd Street, Suite 204
Downey, CA 90241

Kelly L. Morrison
Office of the US Trustee
915 Wilshire Blvd., Ste. 1850
Los Angeles, CA 90017

Hon. Vincent Zurzolo
Roybal Federal Building
Bin outside of Suite 1360
255 E. Temple Street
Los Angeles, CA 90012-3332

American Express National Bank
Becket and Lee LLP
PO Box 3001
Malvern, PA 19355-0701

American Express
Darryl S. Laddin
Arnall Golden Gregory LLP
171 17th Street NW, Suite 2100
Atlanta, Georgia 30363

Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) November 9, 2023 served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Email

American Express National Bank
Becket and Lee LLP
Email: proofofclaim@becket-lee.com

Via Email

American Express
Darryl S. Laddin
dladdin@agg.com

Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 9, 2023	Cheryl Caldwell	/s/ Cheryl Caldwell
Date	Printed Name	Signature

ADDITIONAL SERVICE INFORMATION (if needed):

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